

## Shook Names Product Liability Co-Chairwoman Amid Lateral Movement, Growing Competition

Incoming product liability co-chairwoman Hildy Sastre said, even with the pandemic, 2020 ranked among the strongest years the firm has had over the past decade.

by Dan Roe

Shook, Hardy & Bacon has a new co-chairwoman, based in Miami, for its core practice area: product liability.

The Kansas City-based firm named partner Hildy Sastre to co-lead the practice, at a time when the firm is expanding in other cities, with recent office launches in Boston and Atlanta in the last two years. And on Tuesday, the firm announced the launch of its New York City presence.

Still, the 500-lawyer firm has also seen some partner departures in the last couple of years, including in Miami, where partner Humberto Ocariz left for Greenberg



(L\_R) Hildy Sastre and Alicia Donahue, product liability practice co-chairs at Shook Hardy.

Traurig last year, followed by partner Alexandra Bach Lagos in the last month.

“There’s no concern at all. We’re growing, we’re hiring laterals all the time in a variety of practice areas,” Sastre said. “Occasionally people do leave, and of course lots of people come to us from other firms. It’s part of the business.”

Shook claims it has handled more product liability defense cases than any other firm, with the firm citing Lex Machina data of federal court filings between 2015 and 2019. The Am Law 200 firm includes about 100 partners who primarily focus on product liability litigation, a firm representative told the DBR.

Sastre's co-chairwoman in the practice, Alicia Donahue, said that Shook continues to differentiate itself by having more lawyers and taking more cases to trial than its competitors.

"There's definitely a lot of competition out there. Obviously, headhunters are calling our lawyers on behalf of other firms," Donahue said. "Our retention numbers are excellent. We now have two women chairs at the largest product liability group in the country."

Sastre replaces outgoing products liability co-chairman Walt Cofer, who is retiring. She, Donahue and others in the practice have represented pharmaceutical and medical device companies such as Pfizer, Medtronic, Johnson & Johnson, and Bayer in mass torts and multidistrict litigation (MDL) across the country, as well as representing

Sanofi, GlaxoSmithKline and Stryker. Sastre was named among the Daily Business Review's most effective complex litigation attorneys in 2019.

Sastre said 2021 looks to be a banner year with loads of MDLs planned. Even with the pandemic, Sastre said 2020 ranked among the strongest years the firm has had over the past decade. The firm is representing Pfizer in the first lawsuit related to the COVID-19 vaccine.

"Our clients turned to us for counseling related to COVID," Sastre said.

Bellwether cases haven't occurred virtually during the pandemic, but the practice stayed busy by taking depositions and preparing for 2021 trials.

A backlog of cases bodes for a very active 2021. "Judges are going to want to clear those out by setting

trial dates. When the brakes come off, it's hard to imagine how busy it's going [to be]," Sastre said.

In recent years, Sastre said that an increase in plaintiff firm advertising and availability of financing has made product liability even more litigious, driving competition for defense firms. "Plaintiffs are going to third parties, who are simply lenders, and they are funding big pieces of litigation for a firm or team of plaintiffs attorneys," Sastre said.

*This article has been updated to clarify the co-leaders' clients and to include news of the firm's New York launch on Tuesday.*

*I'm a reporter covering the business of law, focusing on Florida-based and national law firms for the Daily Business Review, The American Lawyer, Law.com and other ALM publications. Reach me at: droe@alm.com or on Twitter at @dan\_roe\_.*